



Entered on Docket
October 02, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegler", is written over a horizontal line.

Hon. Linda B. Riegler
United States Bankruptcy Judge

STUTMAN, TREISTER & GLATT, P.C.
FRANK A. MEROLA
(CA State Bar No. 136934)
EVE H. KARASIK
(CA State Bar No. 155356)
CHRISTINE M. PAJAK
(CA State Bar No. 217713), Members of
1901 Avenue of the Stars, 12th Floor
Los Angeles, California 90067
Telephone: (310) 228-5600
Facsimile: (310) 228-5788
Email: fmerola@stutman.com
ekarasik@stutman.com
cpajak@stutman.com

SHEA & CARLYON, LTD.
JAMES PATRICK SHEA
(Nevada State Bar No. 000405)
CANDACE C. CARLYON
(Nevada State Bar No. 002666)
SHLOMO S. SHERMAN
(Nevada State Bar No. 009688)
701 Bridger, Suite 850
Las Vegas, Nevada 89101
Telephone: (702) 471-7432
Facsimile: (702) 471-7435
Email: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

Counsel for the Official Committee Of
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☒ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust
To Andrew and Beth Mitchell Claims Filed in
Wrong Debtor's Case; Objection of FTDF to
Proposed Allowance of Claim**

Hearing Date: September 28
Hearing Time: 1:30 p.m.


1 The Court having considered the Objection of USACM Trust To Andrew and Beth
 2 Mitchell Claims Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of
 3 Claim (the "Objection") [Docket No. 4432]; appearances having been noted on the record;
 4 adequate notice of the Objection having been given; there having been no response filed to the
 5 Objection; and for good cause appearing:

6
 7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim Nos. 10725-
 8 01120, 10725-01121, and 10725-01144 are disallowed against the estates and in the cases of
 9 USACM and FTDF.

10 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by the
 11 Mitchells (as defined in the Objection) in these jointly-administered bankruptcy proceedings.


12 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity
 13 of the Mitchells' equity interests in FTDF as reflected in both FTDF's books and records and in
 14 the proofs of interest filed by the Mitchells in FTDF, which interests are in the respective amounts
 15 of \$59,733, \$17,916 and \$17,916.
 16

17 SUBMITTED BY:

18 
 19 _____
 20 SUSAN M. FREEMAN
 21 ROB CHARLES
 22 LEWIS AND ROCA LLP
 23 3993 Howard Hughes Parkway, Suite 600
 24 Las Vegas, NV 89169-0961

25 *Counsel for USACM Liquidating Trust*
 26

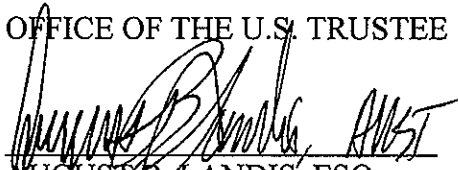
APPROVED BY:

18 
 19 _____
 20 FRANK A. MEROLA
 21 EVE H. KARASIK
 22 CHRISTINE M. PAJAK, Members of
 23 STUTMAN, TREISTER & GLATT, P.C.
 24 1901 Avenue of the Stars, 12th Floor
 25 Los Angeles, CA 90067
 26 and
 CANDACE C. CARLYON
 SHLOMO S. SHERMAN
 SHEA & CARLYON, LTD.
 701 Bridger, Suite 850
 Las Vegas, NV 89101
 Telephone: (702) 471-7432

*Counsel for the Official Committee of
Equity Security Holders of
USA Capital First Trust Deed Fund, LLC*

Approved
~~REVIEWED:~~

OFFICE OF THE U.S. TRUSTEE


AUGUST B. LANDIS, ESQ.
SCOTT A. FARROW, ESQ.
300 Las Vegas Boulevard, Suite 4300
Las Vegas, NV 89101

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